

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-10 and 12-29 are presently active in this case. The present Amendment amends Claims 1, 3-6, 8-10, 12, and 13; cancels Claim 11; and adds Claims 15-29.

In the outstanding Office Action, the drawings were objected to because of missing labels. The specification was objected to because of informalities. Claims 1-3, 8-10, and 12-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Records et al. (U.S. Patent No. 5,522,026). Claims 4 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Records et al. patent in view of Lancki (U.S. Patent No. 6,097,998) and other references. Claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the Records et al. patent in view of Jeffrey et al. (U.S. Patent No. 6,262,720).

Claims 7 and 11 were indicated as allowable if rewritten in independent form.

In response to the objection to the drawings, submitted herewith is a Letter Submitting Replacement Drawings Sheets along with 1 Replacement Sheet for Fig. 1 adding descriptive labels as requested in the Office Action. Fig. 1 of the present application is now identical to Fig. 1 of Le Draoullec et al. (U.S. Patent No. 6,697,718) issued for the parent application and therefore believed to be compliant. Accordingly, no further objection on this basis is anticipated.

In response to the objection to the disclosure, the cited informalities have been corrected by the present amendment to the Cross-Reference to Related Applications section, which now specifies the status of the parent application. Accordingly, the objection is believed to have been overcome.

Applicant appreciatively acknowledges the identification of allowable subject matter in Claim 11. In response, Claim 1 is amended to incorporate the features of allowable Claim

11. Claim 11 is thus canceled without prejudice. Allowable Claim 11 now being in independent form as amended Claim 1, the 35 U.S.C. § 102(b) and/or 35 U.S.C. § 103(a) rejections of Claims 1-6, 8-10, and 12-14 are moot and Claims 1-10 and 12-14 are allowable.

In order to vary the scope of protection recited in the claims, new Claims 15-29 are added. Claims 15-22 recite certain features similar to those recited in Claims 1 and 11. Claims 23-29 indirectly depend from Claim 15 and are otherwise identical to Claims 3, 4, 6, 7, 8, 12, and 13, respectively. Claims 15-29 thus find non-limiting support in the disclosure as originally filed. Therefore, the new claims are not believed to raise a question of new matter.<sup>1</sup> Further, the prior art is not believed to teach all the features of independent Claim 15, which recites, inter alia, an updating step that includes a step of deleting the at least one failure condition. Claims 15-29 are therefore believed to be allowable.

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<sup>1</sup> See MPEP 2163.06 stating that "information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter."

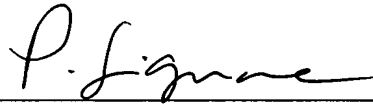
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Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-10 and 12-29 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
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IN THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 1. This sheet, which includes Fig. 1, replaces the original sheet including Fig. 1.

Attachment: Replacement Sheet